Privilege Motion *re*: Incorrect Replies by Deputy Minister for Health

Sri K. H. PATIL.—I have moved a privilege motion against Sri Basavannappa.

Mr. SPEAKER.—Sri K. H. Patil has given notice of a privilege motion. I had requested him to come and meet me in my chambers. He had come and discussed it with me. I have pointed out to him that there is no breach of privilege. Accordingly I have disallowed it. His complaint was that yesterday while answering supplementaries to a question regarding the visit of the Director of Health Services to Raichur, the answers given by the Deputy Minister and the Health Minister, were different and that there was a breach of privilege. When there is some thing incorrect, that can be corrected. Unless there was deliberate intention to mislead the House, there cannot be any breach of Privilege. Since no such circumstances exist, I have disallowed his motion.

Sri K. H. PATIL.—Is it the Deputy Minister has misunderstood ?

Mr. SPEAKER.—The Minister will explain. Yesterday the Deputy Minister for Health said, that the Director cannot undertake tour in excess of 10 days. The Minister for Health said it is the minimum time for purpose of touring.

1-30 P.M.

Sri M. NAGAPPA (Raichur).—The Deputy Minister has to explain because he has given incorrect information to the House. Whereas the hon. Minister has given correct information.

Sri Y. RAMAKRISHNA (Minister for Health).—Mr. Speaker, according to the circular issued by the Directorate, officers of the Directorate are to undertake tours for 10 days in a month.

Sri M. NAGAPPA.—The hon. Deputy Minister said that he cannot exceed 10 days in touring. On the contrary, the Hon. Minister for Health says that the minimum time is 10 days. Which is correct ?

Sri K. PUTTASWAMY (Minister for Law, Labour and Parliamentary Affairs).—The Hon. Health Minister has already corrected the Deputy Minister. I do not think there can be a point of privilege.

Mr. SPEAKER.—That I have already said.

Sri K. H. PATIL (Hubli).—Just to maintain the dignity of the House, if my hon. friend is really courteous enough, if he has misunderstood the rules or if he is unaware of the rules, let him say on account his ignorance he has said so for which he regrets.

ಶ್ರೀ ನದಾಶಿವಪ್ಪ ಪಾಟೀರ್.—ಡೆಪ್ಯೂಟಿ ಮಿನಿಸ್ಟರನ್ನು ಟೂರ್ ಯಾವಾಗ ಮಾಡುತ್ತಾರೆ ಎಂದು ಕೇಳಿದ್ದಕ್ಕೆ ಸಮಯಾನುಸಾರ ಟೂರ್ ಮಾಡುತ್ತಾರೆ ಎಂದು ಹೇಳಿದರು. ಅದಕ್ಕೆ ಮಿನಿ

ನ್ಸರ್‌ವರು ಒಂದು ತಿಂಗಳಿಗೆ 10 ವಿವಸ ಟೂರ್ ಮಾಡಿಯೇ ತೀರಬೇಕು ಎಂಬ ನಿಯಮ ಇದೆ ಎಂದು ಹೇಳಿದರು. ಆದುದರಿಂದ ಡೆಪ್ಯೂಟಿ ಮಿನಿಸ್ಟರ್‌ರವರು ಹೇಳಿದ್ದು ನಿಜವೇ ? ಮಿನಿಸ್ಟರ್‌ರವರು ಹೇಳಿದ್ದು ನಿಜವೇ ?

Sri M. NAGAPPA.—The privilege motion was not against the Minister for Health, but it is against the Deputy Minister who has given a wrong information to the House. So, correction has to be made not by the Hon. Minister but by the Deputy Minister. The Deputy Minister must say that he was not aware of the particular rules and regulations and he was not knowing that information. The Hon. Deputy Minister must correct his statement.

Sri M. S. KRISHNAN.—The Deputy Minister has committed the mistake. It is he who has got to speak.

Sri H. SIDDAVEERAPPA.—Probably they are afraid that the Deputy Minister might commit some other error. Therefore, the Minister hasgone to his rescue.

Mr. SPEAKER.—I have heard the Hon. Members. The Constitutional position is that any Minister on behalf of the Ministry can reply to questions.

Sri H. SIDDAVEERAPPA.—You have to tell the Deputy Minister not to repeat it again. He must be careful whenever he speaks next time.

Mr. SPEAKER.—I think the Hon. Deputy Minister will bear this in mind.

Sri K. H. PATIL.—Is not the Deputy Minister competent to speak in the House ? Let him say that. Why should the Minister come to his rescue ?

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ಸ್ವಾಮಿ, ಇದು ಪೊನ್ನೆ ನಡೆದ ಘಟನೆ. ಡೆಪ್ಯೂಟಿ ಮಿನಿಸ್ಟರು ಹೇಳಿದ್ದು ಕರಾರುವಾಕ್ಕಾಗಿ ಇರಲಿಲ್ಲ ಎಂದು ಗೊತ್ತಾದಾಗ ಮಿನಿಸ್ಟರು ಆ ವಿಷಯದಲ್ಲಿ ಕರಾರುವಾಕ್ಕಾದ ಸಮಾಚಾರವನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಇದು ಪ್ರಿವಿಲೇಜ್ ಪ್ರಶ್ನೆಯಾಗುತ್ತದೆ ಎನ್ನುವುದಾಗಲಿ ಅಥವಾ ಇನ್ನೂ ಏನು ಹೇಳುತ್ತೀರಿ ಎಂದು ಕೇಳುವುದಾಗಲೀ ಉದ್ದವಿನುವುದಿಲ್ಲ, ಕರಾರುವಾಕ್ಕಾಗಿ ಎಲ್ಲರೂ ಹೇಳುತ್ತಾ ಇದ್ದೇವೆ ಎಂದು ನಾನು ಭಾವನೆ ಮಾಡಿಕೊಂಡಿಲ್ಲ. ಅನೇಕರು ಮಾತನಾಡುವಾಗ ಈ ನಡೆಯಲ್ಲಿ ನಡೆಯರು ತಮಗೆ ಗೊತ್ತಿಲ್ಲದೇ ಇದ್ದ ವಿಚಾರ ಮಾತನಾಡಿರಬಹುದು. ಪ್ರತಿಯೊಂದಕ್ಕೂ ಅದು ತಪ್ಪಾಯಿತು, ಅದು ನಮಗೆ ಗೊತ್ತಿರಲಿಲ್ಲ, ಎಂದು ಹೇಳುವುದು ಯಾವ ರೂಲ್ ಪ್ರಕಾರ ಅವರು ಕೇಳುತ್ತಾ ಇದ್ದಾರೆ ಅಂತ ಅನ್ನುವುದು ಅರ್ಥವಾಗುವುದಿಲ್ಲ.

Sri D. B. KALMANKAR.—Sir.....

Mr. SPEAKER.—Let the Hon. Minister finish. I shall hear the hon. Member afterwards.

Sri K. PUTTASWAMY.—I have risen on a point of order. I was trying to explain my point of order. The other day, a statement was made by the Hon. Deputy Minister for Health which was not correct. Immediately, the Hon. Minister for Health has corrected the statement. Therefore, there is no question of either privilege or even question of asking the Deputy Minister to explain. The Deputy

(SRI K. PUTTASWAMY)

Minister is not contending that what he has said, is correct. He is keeping quiet because he was corrected by the Hon. Minister for Health. Therefore no question of calling upon the Deputy Minister for Health to explain, would arise.

SRI H. SIDDAVEERAPPA.—That is not like that. Let us know the position correctly. It is nowhere stated in the rules that if after the Deputy Minister another Minister speaks, that amounts to correction. It is not so. Both the statements are there. Soon after the reply of the Deputy Minister, the Minister stood up and said that the Director has to tour for 10 days. Probably, if there was a little tact on the part of the Deputy Minister, he could have got up immediately and said that he stands corrected. Then the whole matter would have ended and all these things would not have arisen. The Minister did not say that he is correcting the answer of the Deputy Minister. Both the answers are there. Therefore, strictly and legally both the answers are there. It is for us to view which is correct and which is not correct. The whole thing would have been over if the Deputy Minister said that he stands corrected. If they allow these simple things to crop up, then many more things would come up.

SRI B. P. GANGADHAR.—He can say that he has made an incorrect statement and that he regrets for the same.

ಶ್ರೀ ಜಿ. ದುಗ್ಗಪ್ಪ (ಧರ್ಮಸಾಗರ).—ಮಂತ್ರಿಗಳಾಗಲೀ, ಉಪಮಂತ್ರಿಗಳಾಗಲಿ ಉತ್ತರ ಹೇಳಬೇಕಾದರೆ ಸರ್ಕಾರದ ಪರವಾಗಿ ಹೇಳುತ್ತಾರೆ. ಅವರು ಬಹಳ ಜವಾಬ್ದಾರಿಯುತವಾಗಿ ಫೈಲ್‌ಗಳನ್ನು, ಸಂಬಂಧಪಟ್ಟ ಇಲಾಖೆಯ ಅಧಿಕಾರಿಗಳು ಏನು ಸಮಾಚಾರ ಕಳುಹಿಸಿಕೊಟ್ಟಿದ್ದು ತ್ತಾರೆ ಅದನ್ನು ನೋಡಿ ಹೇಳಬೇಕು, ಇಲ್ಲದೇ ಇದ್ದರೆ ಮಾಹಿತಿ ನೋಡಿ ಹೇಳಬೇಕು. ಪ್ರಶ್ನೋತ್ತರ ಕಾಲದಲ್ಲಿ ಫೈಲ್‌ನಲ್ಲಿ ಇರುವುದೇ ಒಂದು ಅವರು ಹೇಳುವುದೇ ಒಂದು ಆಗಬಾರದು, ಇದು ಬಹಳ ಗುರುತರವಾದ ಪ್ರಶ್ನೆ. ಅವರು ಜವಾಬ್ದಾರಿಯುತವಾಗಿ ಹೇಳಬೇಕಾಗುತ್ತದೆ.

ಅಧ್ಯಕ್ಷರು.—ಅವರು ಏನು ಹೇಳಬೇಕಾಗಿತ್ತು ?

ಶ್ರೀ ಜಿ. ದುಗ್ಗಪ್ಪ.—ಮಾನ್ಯ ಉಪಮಂತ್ರಿಗಳು ಈ ಸಭೆಯನ್ನು ಬಹಳ ಹಗುರವಾಗಿ ಕಾಣುತ್ತಿದ್ದಾರೆ. ಅದರಿಂದ ನಮ್ಮ ಸಭೆಯ ಪ್ರಶ್ನೋತ್ತರಗಳಿಗೆ ಯಾವ ಬೆಲೆಯೂ ಇದ್ದ ಹಾಗೆ ಕಾಣುತ್ತಿಲ್ಲ. ಅವರು ಈ ಸಭೆಯ ಕಾರ್ಯಕಲಾಪಗಳ ಬಗ್ಗೆ ತಮ್ಮ ಜವಾಬ್ದಾರಿ ಏನು ಎಂಬುದನ್ನು ಅರಿತಿದ್ದರೆ, ಈ ಪ್ರಸಂಗ ಉದ್ಭವಿಸುವುದಕ್ಕೆ ಅವಕಾಶವಾಗಲು ಅಥವಾ ಈ ದಿವಸ ಮಾನ್ಯ ಪುಟ್ಟಸ್ವಾಮಿಯವರಿಗೆ ಒಂದು ಹೇಳಿಕೆಯನ್ನು ಕೊಡತಕ್ಕ ಅವಕಾಶವಾಗಲು ಉದ್ಭವವಾಗುತ್ತಿರಲಿಲ್ಲ. ಈ ಸಭೆಗೆ ಮಾನ್ಯ ಮಂತ್ರಿಗಳಾಗಲೀ ಉಪಮಂತ್ರಿಗಳಾಗಲಿ ಉತ್ತರ ಕೊಡುವಾಗ ತಪ್ಪು ಉತ್ತರಗಳನ್ನು ಕೊಡಬಾರದೆಂಬ ಹೆದರಿಕೆ ಇರಬೇಕು.....

ಅಧ್ಯಕ್ಷರು.—ಮಾನ್ಯ ಉಪಮಂತ್ರಿಗಳು ಹೇಳುವುದೇನಾದರೂ ಇದೆಯೇ ?

ಶ್ರೀ ಜಿ. ಬಸವಣ್ಣಪ್ಪ (ಆರೋಗ್ಯ ಶಾಖೆಯ ಉಪಮಂತ್ರಿಯವರು).—ಮಾನ್ಯ ಸಭಾಪತಿಗಳೇ ಈ ಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ಚರ್ಚೆಯಾಗತಕ್ಕ ಯಾವ ಒಂದು ಪ್ರಶ್ನೆಗಳ ವಿಷಯವಾಗಲು ಅಥವಾ ಮತ್ತೆ ಯಾವ ಒಂದು ವಿಚಾರವಾಗಲೀ ಅದರ ಬಗ್ಗೆ ಸಂಬಂಧಪಟ್ಟ ರೂಲ್ಸ್ ರೆಗ್ಯುಲೇಷನ್‌ಗಳನ್ನೆಲ್ಲಾ ಚೆನ್ನಾಗಿ ನೋಡಿಕೊಂಡೇ ಬರುತ್ತೇನೆ. In the present, case what I stated is that, if the Director of Health Services undertakes a tour, it must not exceed 10 days. There is a definite rule to that effect. That is what I stated in the Assembly.

Mr. SPEAKER.—So is it that what the hon'ble Deputy Minister stated is correct ?

Sri G. BASAVANNAPPA.—Yes, that is correct.

(Several hon'ble Members rose).

Mr. SPEAKER.—I must first give my ruling to the point of order raised by the Hon'ble Minister Sri Puttaswamy. We should utilize the time at our disposal in the house most fruitfully. As I stated earlier, the simple question that was raised by Sri K. H. Patil was whether there was any breach of privilege. The point was that when an answer was given by the Hon'ble Deputy Minister for Health the Minister for Health felt that it was a wrong answer, he therefore corrected the answer, and thus there were different answers. The position is that when an attempt is made by a representative of the Government to give a correct answer, the matter should normally end there unless incorrect answer was given deliberately to mislead the House. Unless there is evidence before me and before the House to show that there is a deliberate attempt to state falsehood, no breach of privilege can be raised and so my ruling is that there is no breach of privilege.

However, I connot now compel either the Hon'ble Deputy Minister or the Hon'ble Minister for Health to express regret. It is left to the individual Minister concerned to say or not to say that. So far as the notice about breach of privilege is concerned, I have given my ruling that there is no question of breach privilege in view of the fact that there is no material before me to say that there was a deliberate attempt to mislead the House. There the matter should end. There is much work before the House and I request the Hon'ble members to utilize the time at their disposal properly.

Sri K. H. PATIL.—I only want to make one appeal to the Chair. There are already two different statements and today there is another statement by the Hon'ble Deputy Minister for Health. If all these three statements are perused, I submit that there is a clear and *prima facie* case of breach of privilege and it is also clear that it is intentional. That is evident from the third statement of the Hon'ble Deputy Minister today. If it was not intentional and it was made by mistake, he would have said that 'I made a mistake and I stand corrected'. Then we would not have minded it. But now having made a wrong statement, he is trying to maintain it. In the interest of the maintenance of the dignity and decorum of the House it is essential that the Ministers should always come prepared with the correct information from the files and records and give correct answers on the floor of the House. In view of what has happened and the discussion that has taken place, the House may be allowed to take it up tomorrow.

Mr. SPEAKER.—I have already given my ruling on that. If the member wants to give another motion, he may do so.

ಶ್ರೀ ಪಾಟಾಳ್ ನಾಗರಾಜ್. —ಮಾನ್ಯ ಶ್ರೀ ಪುಟ್ಟಸ್ವಾಮಿಯವರ ಮೇಲೆ ಒಂದು ಪ್ರಿವಿಲೇಜ್ ಮೋಷನ್ ಇದೆ. ಅವರನ್ನು ಕರೆಯಿಸಿರಿ. ನಾನು ಕೊಟ್ಟಂಥ ಪ್ರಿವಿಲೇಜ್ ಮೋಷನ್ ಏನಾಯಿತು ?

Mr. SPEAKER —I connot compel anybody to be persent in the House. I can only request that everybody should be present in the House.

Sri V. N. PATIL (Humnabad).—I rise to a point of order, Sir.

Mr. SPEAKER.—No point of order can be raised during the interval between the termination of one item of business and the commencement of another unless it relates to maintenance of order in, or arrangement of business before the Assembly. Does the point of order relate to maintenance of order or arrangement of business ?

Sri V. N. PATIL.—Definitely Sir. Now there are three statements.

Mr. SPEAKER.—The point of order can be only with respect to maintenance of order or arrangement of business. As regards maintenance of order, nothing has happened here to restore order. The question hour is over and we are going to the next item and so in between there connot be any point of order under rule 311.

Sri V. N. PATIL.—My point of order relates to a matter which was discussed just now.

Mr. SPEAKER.—Hon'ble member may refer to the proviso to rule 311 (1). There cannot be any point of order now.

Sri V. N. PATIL.—I had already stood no up a point of order. Then you were pleased to ask me to wait. I obeyed you. Is obedience to the Chair a sin ? I am to be deprived of my opportunity to raise the point of order ? If I had persisted then itself in raising my point of order, I would have been allowed.

Mr SPEAKER.—Is it the intention of the House to waste time on matters which are not relevant to the business before the House ?

Sri V. N. PATIL.—Please avoid using such words. We are not here to waste the time of the House. We are responsible members and we have a sense of value of time.

Now, two different answers are given. Previously, we thought that it was un-intentional. The Deputy Minister now says : 'I know my responsibility and with full knowledge of facts and figures, I have said so.' He said that the Director of Medical Services has to tour for ten days in a month. He says : "I need not stand myself corrected and what I have said is 100 per cent correct." A statement is therefore necessary from the Health Minister as to whether his statement is correct or the statement of the Deputy Minister is correct.

Mr. SPEAKER.—I have understood the hon. Member. It is very surprising that the hon. Member Sri V. N. Patil was inattentive when a similar question was raised by Sri K H. Patil and the same was answered by the Chair. I had already given my Ruling stating that there is no breach of privilege. I cannot compel the hon. Minister or any Member to make a statement. It is for the hon. members to take such action as they please. I have already stated that. There is no Point of Order.